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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 AKNEEKO A. CARNES, individually,
Plaintiff,

11 vs.

12
13 GOLDEN GAMING, LLC, a Domestic
Limited-Liability Company; GORDON
14 BORGWALD, individually; and GERALD
15 CAHOON, individually,
16 Defendants.

Case No. 2:21-cv-01409-APG-NJK

**STIPULATION AND ORDER TO
EXTEND DISCOVERY AND
DISPOSITIVE MOTION DEADLINES**

(First Request)

17
18 Plaintiff Akneeko Carnes ("Plaintiff") by and through her counsel of record, Lagomarsino
19 Law, Defendant Golden Gaming, LLC ("Golden Gaming") by and through its counsel of record,
20 Jackson Lewis P.C., and Defendant Gordon Borgwald ("Borgwald,") by and through his counsel,
21 Messner Reeves, LLP, hereby stipulate and agree as follows:

22 1. On January 6, 2022, the Court entered an Order granting the Joint Discovery Plan
23 and Scheduling Order submitted by the parties. ECF No. 32.

24 2. The parties have been diligently working on extensive written discovery and
25 scheduling depositions.

26 3. On March 17, 2022, Plaintiff disclosed three expert witnesses and over one
27 hundred pages of related documents.

28

1 4. March 17, 2022 was the deadline to disclose initial expert witnesses. Thus, rebuttal
2 expert witness disclosures are due April 18, 2022.

3 5. This is the first request by the parties to extend the discovery deadlines as set forth
4 in the January 6, 2022 Order. ECF No. 32.

5 6. The parties stipulate and agree to extend the deadline for the close of discovery for
6 ninety (90) days to allow the parties to complete written discovery, disclose rebuttal witnesses,
7 and conduct necessary depositions in order to fully evaluate the claims and defenses presented.

8 **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

9 The Parties have diligently engaged in discovery by identifying and disclosing relevant
10 documents. Plaintiff made her initial disclosures on January 18, 2022, and Golden Gaming made
11 its initial disclosures on January 19, 2022. Plaintiff supplemented her disclosures on February 9,
12 2022. Golden Gaming also supplemented its disclosures on March 7, 2022.

13 In addition, the Parties have exchanged written discovery requests and responses. Golden
14 Gaming served Plaintiff with requests for production on January 13, 2022 and Plaintiff responded
15 on February 9, 2022. Borgwald served Golden Gaming with requests for production on January
16 19, 2022, and Golden Gaming responded on March 4, 2022. Plaintiff served Golden Gaming and
17 Borgwald with separate interrogatories, requests for admission, and requests for production on
18 January 24, 2022. Borgwald responded to Plaintiff's requests for admission and requests for
19 production on March 9, 2022 and Plaintiff's interrogatories on March 10, 2022.

20 Further, the Parties have been working together to identify deposition dates for the parties
21 and witnesses. Plaintiff noticed Borgwald's deposition for April 5, 2022 and three other fact
22 witness depositions for the week of April 18, 2022. Moreover, Golden Gaming noticed Plaintiff's
23 deposition for April 15, 2022. All are expected to move forward.

24 On March 17, 2022, Plaintiff disclosed three expert witnesses including an economist, a
25 psychologist, and a clinical social worker and well as over one hundred pages of related
26 documents.

1 **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

2 The parties have not yet completed discovery and anticipate that additional time will be
3 needed to complete pending written discovery, disclose rebuttal witnesses, and depose fact and
4 expert witnesses.

5 **THE REASONS WHY THE DEADLINE WAS NOT SATISFIED OR THE REMAINING**
6 **DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE**
7 **DISCOVERY PLAN**

8 Plaintiff disclosed three expert witnesses and over one hundred pages of related
9 documents (including reports and qualifications) on March 17, 2022. The deadline to disclose
10 rebuttal experts under the current Scheduling Order (ECF No. 32) is April 18, 2022. Given the
11 number of expert witnesses disclosed by Plaintiff and the length of their reports, Defendants'
12 counsel requires additional time to identify and assess potential rebuttal witnesses as well as allow
13 them time to draft their rebuttal reports. Further, given the number of fact witness depositions
14 scheduled for April 2022, the parties will not have sufficient time to depose expert witnesses prior
15 to the discovery deadline.

16 **PROPOSED SCHEDULE**

17 The parties stipulate and agree that:

18 1. **Discovery:** The discovery period shall be extended ninety (90) days from **May**
19 **16, 2022 to August 15, 2022.** The deadline to request an additional extension to the discovery
20 period shall be **July 25, 2022**, twenty-one (21) days before the scheduled discovery cut-off.

21 2. **Rebuttal Experts:** The parties shall have through and including **July 18, 2022** to
22 disclose rebuttal experts.

23 3. **Dispositive Motions:** The parties shall have through and including **September**
24 **14, 2022**, to file dispositive motions, which is 30 days after the discovery deadline.

25 4. **Pre-Trial Order:** If no dispositive motions are filed, the Joint Pretrial Order shall
26 be filed thirty (30) days after the date set for the filing of dispositive motions. In the event
27 dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until
28 thirty (30) days after decision on the dispositive motions or by further order of the Court.

5. Extensions or Modifications of the Discovery Plan and Scheduling Order: In accordance with Local Rule 26-3, a stipulation or motion for modification or extension of this discovery plan and scheduling order and any deadline contained herein, must be made not later than twenty-one (21) days before the subject deadline.

This stipulation and order is sought in good faith and not for the purpose of delay.

Dated this 28th day of March, 2022.

LAGOMARSINO LAW

/s/ Cory M. Ford

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Dated this 28th day of March, 2022.

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Golden Gaming, LLC

Dated this 28th day of March, 2022.

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/s/ David M. Gould

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Attorney for Defendant Gordon Borgwald

IT IS SO ORDERED.



U.S. District Magistrate Judge

Dated: March 29, 2022
